IN THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1.   (Currently Amended) A method of multicasting information to a set of clients comprising:

constructing a data topology associated with the set of clients based on performance information associated with the set of clients;

determining a primary client using performance information and a network location of the client, the network location relating to the data topology;

transmitting a first portion of the information to the primary client from a server;

instructing the primary client to forward the first portion of the information to a secondary client; and

in the event a new client is added to the set of clients:

receiving new performance information associated with the new client;

determining based at least in part on the new performance information whether the new client ~~should~~ is to be used instead of the first primary client to forward multicast information to the secondary client; and

in the event it is determined that the new client ~~should~~ is to be used instead of the first primary client to forward multicast information to the secondary client, designating the new client as a new primary client to be used to forward information a subsequently sent portion of the information, if any, to the secondary client.

2.   (Original) A method of multicasting information to a set of clients as recited in claim 1 further including receiving performance information from the set of clients.

3.   (Previously Presented) A method of multicasting information to a set of clients as recited in claim 1 further including pinging clients to determine the network location of the clients.

4.   (Previously Presented) A method of multicasting information to a set of clients as recited in claim 1 wherein the information is streaming video.

5.   (Currently Amended) A method of multicasting information to a set of clients comprising:

        determining a performance parameter for each of the clients;

        constructing a data topology associated with the set of clients based on the performance parameter associated with each of the clients;

        selecting a subset of the clients to be primary clients based on the performance parameter and a network location relating to the data topology;

        transmitting the information to the primary clients for retransmission to other clients in the set of clients; and

        in the event a new client is added to the set of clients:

            receiving new performance information associated with the new client; and

            determining based at least in part on the new performance information whether the new client ~~should~~ is to be a primary client.

6.   (Currently Amended) A method of multicasting information to a set of clients comprising:

        constructing a data topology associated with the set of clients based on performance information associated with the set of clients;

        determining a network location for each of the clients;

        determining a primary client using performance information and the network location of each of the clients, the network location relating to the data topology;

        selecting a subset of the clients to be primary clients based on the network location and the performance information;

        transmitting the information to the primary clients for retransmission to other clients in the set of clients; and

        in the event a new client is added to the set of clients:

            receiving new performance information associated with the new client; and

determining based at least in part on the new performance information whether the new client ~~should~~ is to be a primary client.

7 – 17. (Canceled)

18.　(Previously Presented)　A server configured to multicast information to a set of clients comprising:

a client interface configured to transmit the information to a primary client from the server and to instruct the primary client to forward the information to a secondary client; and

logic configured to:

construct a data topology associated with the set of clients based on performance information associated with the set of clients;

determine a primary client using performance information and a network location of the client, the network location relating to the data topology; and

in the event a new client is added to the set of clients, update the primary client determination based at least in part on a new performance information associated with the new client.

19.- 20.　(Canceled)

21.　(Currently Amended)　A computer program product for multicasting information, the computer program product being embodied in a computer readable medium and comprising computer instructions for:

constructing a data topology associated with the set of clients based on performance information associated with the set of clients;

determining a primary client using performance information and a network location of the client, the network location relating to the data topology;

transmitting a first portion of the information to the primary client from a server;

instructing the primary client to forward the first portion of the information to a secondary client; and

in the event a new client is added to the set of clients:

receiving new performance information associated with the new client;

determining based at least in part on the new performance information whether the new client ~~should~~ is to be used instead of the first primary client to forward multicast information to the secondary client; and

in the event it is determined that the new client ~~should~~ is to be used instead of the first primary client to forward multicast information to the secondary client, designating the new client as a new primary client to be used to forward information a subsequently sent portion of the information, if any, to the secondary client.